

Application No. 10/662,790
Amendment dated 02/23/2006
Reply to Office Action of December 1, 2005

02-ASD-332 (GT)

REMARKS

§ 103 rejection

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,308,735 to Foltz ("Foltz") in view of U.S. Patent No. 4,960,153 to Bergsma ("Bergsma"). Applicant respectfully traverses this rejection.

The Examiner asserted that the retainer 14 (which has a weld flange 21) shown in Foltz is the same as the claimed locking ring. Applicant respectfully disagrees. Applicant has amended independent claim 1 to clarify that the locking ring has an undercut surface and that the pass-through secures against the undercut surface to retain a sealing ring against an access opening in the tank.

Neither Foltz nor Bergsma teach the claimed structure. Figures 2, 3a, 3b, 5, 9 and 10 clearly show a weld flange 21 with straight sides and no undercut. Further, no portion of the retainer 14 or the weld flange 21 even contacts any portion of the valve assembly 12. Instead, the valve assembly 12 is held in place by a metal ring 22 having tabs 112 (not any undercut configuration) that flex so that they eventually sit on top of retainer blocks 60 on the valve 12. Bergsma does not even show a locking ring or any other structure that has an undercut and that is attachable to the fuel tank.

There is also no motivation to modify the Foltz/Bergsma combination to include a locking ring. Foltz focuses solely on a retainer ring that allows press-fitting (col. 1, lines 43-67 and col. 5, lines 38-64), which would be impossible with a locking ring having the claimed undercut structure. Bergsma does not even show a retainer or locking ring of any kind that is attached to the fuel tank; instead, Bergsma simply shows a fuel tank opening having an opening with ears 40, 42 that engage with grooves 22, 23 in the valve (Figure 3; col. 3, lines 49-56).

Because neither reference discloses or suggests a locking ring with an undercut that secures a pass-through, the Examiner has failed to establish a prima facie case of obviousness with respect to claims 1-10. Withdrawal of the rejection is therefore respectfully requested.

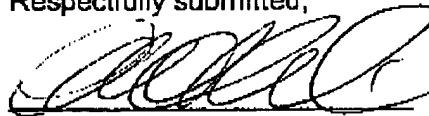
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Applicant has added system claims 11-22 that correspond generally to method claims 1-10 and also recite a locking ring with an undercut. Independent apparatus claims 11-22 therefore do not constitute new matter. Entry and allowance of claims 11-22 are therefore respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 05-0275.

Respectfully submitted,



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